



City of Malibu

23825 Stuart Ranch Road • Malibu, California • 90265-4804
(310) 456-2489 • fax (310) 456-2760

May 12, 2015


The Honorable Michael D. Antonovich
Mayor, County of Los Angeles
869 Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, California 90012

Via email to submit@bos.lacounty.gov

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

38 September 29, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

Dear Mayor Antonovich:

The City of Malibu hereby requests the Los Angeles County Board of Supervisors approve the City's request to change the date of its municipal elections to November of even-numbered years, effective November 2016. The City has historically conducted its elections in April of even-numbered years. On April 27, 2015, the Council introduced on first reading Ordinance No. 389. Second reading and adoption of Ordinance No. 389 occurred at its meeting last night.

Attached are copies of the April 27, 2015 and May 12, 2015 City of Malibu City Council Agenda reports and minute excerpts. Also attached is a copy of Ordinance No. 389.

Should you require additional information, please contact me at (310) 456-2489, extension 228 or lpope@malibucity.org.

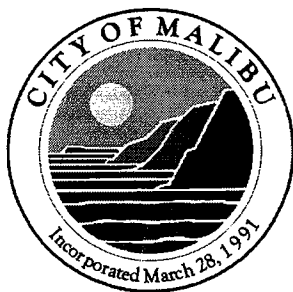
Sincerely,



Lisa Pope
City Clerk

cc: The Honorable Mayor and Malibu City Council
Jim Thorsen, City Manager, jthorsen@malibucity.org
Christi Hogin, City Attorney, chogin@localgovlaw.com
Alex Olvera, Division Manager, Election Information and Preparation, aolvera@rcc.lacounty.gov





Council Agenda Report

To: Mayor Sibert and the Honorable Members of the City Council

Prepared by: Lisa Pope, City Clerk *L. Pope*

Approved by: Jim Thorsen, City Manager *J. Thorsen*

Date prepared: April 8, 2015

Meeting date: April 27, 2015

Subject: Changing City of Malibu General Municipal Election Day to
November of Even-Numbered Years

RECOMMENDED ACTION: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 389 moving the date of the City's General Municipal Election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November 2016; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 389 for the May 11, 2015 Regular City Council meeting.

FISCAL IMPACT: The cost to conduct a stand-alone election is approximately \$50,000. If the City conducts a concurrent election in November of even-numbered years, it is anticipated that the cost will be similar to the current cost of conducting stand-alone elections in April of even-numbered years. Additional funding might be needed for voter outreach to inform voters of the election date change.

If the City is able to consolidate its election with the County election, there may be cost savings. At this time, the County is unable to provide a cost estimate since the Board of Supervisors' policy currently prohibits consolidation in November of even-numbered years.

If the Board of Supervisors approves the ordinance, a notice must be sent to all Malibu registered voters advising them of the change in election date, which would cost approximately \$7,500.

Funding in the amount of \$50,000 will be included in the Proposed Budget for Fiscal Year 2015-16 in Account No. 100-7007-5150 (City Clerk Elections) for the April 2016 election.

DISCUSSION: On November 10, 2014, the Council discussed Councilmember Peak's request to consider the possibility of moving the City's General Municipal Election to the same day as the statewide general election on the first Tuesday after the first Monday in November of even-numbered years. The Council directed staff to bring back a report outlining: 1) viable options for November or June elections; 2) the past 10 years of voter records; 3) details on lengthening or shortening Councilmember terms; 4) what issues would need to be addressed by the Los Angeles County Registrar; and 5) the viability of an all-mail ballot election.

On March 23, 2015, the Council considered the additional information and directed staff to bring back the necessary steps to change the City's election date to November of even-numbered years beginning in 2016 and to contact the County to see if it would allow the City of Malibu to consolidate in November of even-numbered years beginning in 2016 and, if not, if it would allow concurrent elections.

Ordinance No. 389 moves the City's general municipal election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November 2016.

Upon adoption of the ordinance, it will be forwarded to the Los Angeles County Board of Supervisors for approval. Staff will request the County approve consolidation, or, if not, that it allow concurrent elections in November of even-numbered years.

ATTACHMENTS: Ordinance No. 389

ORDINANCE NO. 389

AN ORDINANCE OF THE CITY OF MALIBU MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN APRIL OF EVEN-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER OF 2016

The City Council of the City of Malibu does ordain as follows:

Section 1. Recitals.

A. The City's general municipal elections are currently held on the second Tuesday in April of each even-numbered year.

B. Election Code Sections 1301 and 10403.5 authorize the City to reschedule its general municipal election to the day of the state-wide general election.

C. The City wishes to consolidate its elections with the state-wide general election conducted by the County of Los Angeles on the first Tuesday after the first Monday in November of even-numbered years, but in the event that the Los Angeles County Board of Supervisors does not permit the City to consolidate its elections then the City wishes to nonetheless hold its elections concurrently with the state-wide general election.

D. In order to accomplish the change in election date, the term of incumbent City Councilmembers who would otherwise be up for election in April 2016 shall be extended from April to December 2016 when the Councilmembers elected in November take office.

Section 2. Change of Election Day. Pursuant to Elections Code Section 1301 and 10403.5, the day of the general municipal election in the City of Malibu is moved from the second Tuesday in April of each even-numbered year to the first Tuesday after the first Monday in November of each even-numbered year.

Section 3. Concurrent or Consolidated Election. Pursuant to Elections Code Section 1301, the City hereby requests the County of Los Angeles approve consolidation of the City's November City Council election with the state-wide general election conducted by the County in November of each even-numbered year. If the County denies the City's request for consolidation, the City alternatively requests that the County permit the City to conduct its election concurrently with future state-wide general elections (employing a separate ballot from that of the County election) unless and until such time as the County approves the consolidation of the City Council election with the state-wide general election.

Section 4. Adjustment of Terms of Office. In accordance with Elections Code Sections 1301 and 10403.5(d), due to the change of election date, the terms of office of those members of the City Council presently serving whose terms would previously have expired in April 2016, shall instead, continue in their offices until certification of the results and administration of oaths of office after the November 2016 general municipal election. The terms of office of those members of the City

Ordinance No. 389
Page 2 of 2

Council elected in April 2014 whose terms would previously have expired in April 2018, shall instead, continue in their offices until certification of the results and administration of oaths of office after the November 2018 general municipal election.

Section 5. Effective Date. Pursuant to Elections Code Sections 1301 and 10403.5, this ordinance shall not become operative until approved by the Los Angeles County Board of Supervisors.

Section 6. Notice to Voters. Pursuant to Elections Code Section 10403.5(e), within 30 days after the ordinance becomes operative, the City elections official shall cause a notice to be mailed to registered voters with the City of Malibu.

Section 7. Date of the First City Council Election in November. The first City Council election to be held in November shall be November 2016.

Section 8. Request to the County. The City Clerk shall forward a copy of the ordinance to the Los Angeles County Board of Supervisors requesting approval by Board resolution.

Section 9. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED this ____ day of ____, 2015.

JOHN SIBERT, Mayor

ATTEST:

LISA POPE, City Clerk

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF MALIBU)

THE FOLLOWING IS AN EXCERPT FROM THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 27, 2015:

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Changing City of Malibu General Municipal Election Day to November of Even-Numbered Years

Staff recommendation: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 389 moving the date of the City's General Municipal Election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November 2016; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 389 for the May 11, 2015 Regular City Council meeting.

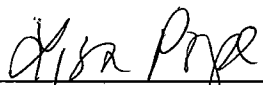
Ryan Embree asked if the change would take effect in 2016 if concurrent elections had to be held.

Mayor Pro Tem Rosenthal stated the staff report indicated the change would begin in November 2016.

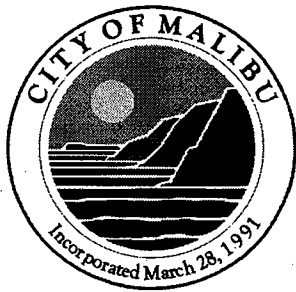
City Clerk Pope explained that the ordinance would have to be approved by the Los Angeles County Board of Supervisors. She stated the Board was reconsidering its policy on denying consolidated elections.

MOTION Councilmember House moved and Councilmember Peak seconded a motion to: 1) Introduce on first reading Ordinance No. 389 moving the date of the City's General Municipal Election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November 2016; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 389 for the May 11, 2015 Regular City Council meeting. The motion carried 4-0, Mayor Sibert absent.

May 12, 2015



Lisa Pope, City Clerk
(seal)



Council Agenda Report

To: Mayor Sibert and the Honorable Members of the City Council

Prepared by: Lisa Pope, City Clerk

Approved by: Jim Thorsen, City Manager 

Date prepared: April 28, 2015

Meeting date: May 11, 2015

Subject: Second Reading and Adoption of Ordinance No. 389

RECOMMENDED ACTION: Conduct second reading, unless waived, and adopt Ordinance No. 389 moving the date of the City's general municipal election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November of 2016.

FISCAL IMPACT: None.

DISCUSSION: At the Regular City Council meeting on April 27, 2015, the City Council introduced on first reading Ordinance No. 389.

Ordinance No. 389 is presented to the City Council for adoption.

ATTACHMENTS: Ordinance No. 389

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Council elected in April 2014 whose terms would previously have expired in April 2018, shall instead, continue in their offices until certification of the results and administration of oaths of office after the November 2018 general municipal election.

Section 5. Effective Date. Pursuant to Elections Code Sections 1301 and 10403.5, this ordinance shall not become operative until approved by the Los Angeles County Board of Supervisors.

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Section 8. Request to the County. The City Clerk shall forward a copy of the ordinance to the Los Angeles County Board of Supervisors requesting approval by Board resolution.

Section 9. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED this ____ day of ____, 2015.

JOHN SIBERT, Mayor

ATTEST:

LISA POPE, City Clerk

APPROVED AS TO FORM:


CHRISTI HOGIN, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF MALIBU)

THE FOLLOWING IS AN EXCERPT FROM THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 11, 2015:

ITEM 3 CONSENT CALENDAR

A. Previously Discussed Items

1. Second Reading and Adoption of Ordinance No. 389


Staff recommendation: Conduct second reading, unless waived, and adopt Ordinance No. 389 moving the date of the City's general municipal election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November of 2016.

Cynthia Kesselman indicated support for Ordinance No. 389. She discussed Mr. Shenkman's letter to the Council.

MOTION

Mayor Pro Tem Rosenthal moved and Councilmember Peak seconded a motion to conduct second reading, unless waived, and adopt Ordinance No. 389 moving the date of the City's general municipal election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November of 2016. The question was called and the motion carried 4-0, Councilmember House absent.

May 12, 2015



Lisa Pope, City Clerk
(seal)

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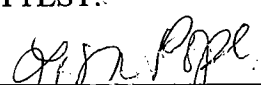
Section 8. Request to the County. The City Clerk shall forward a copy of the ordinance to the Los Angeles County Board of Supervisors requesting approval by Board resolution.

Section 9. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED this 11th day of May 2015.


JOHN SIBERT, Mayor

ATTEST:

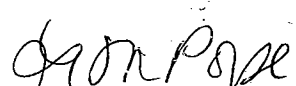

LISA POPE, City Clerk

APPROVED AS TO FORM:

 ACA
CHRISTI HUGIN, City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 389 was passed and adopted at the regular City Council meeting of May 11, 2015, by the following vote:

AYES:	4	Councilmembers:	Peak, La Monte, Rosenthal, Sibert
NOES:	0		
ABSTAIN:	0		
ABSENT:	1	Councilmember:	House


LISA POPE, City Clerk
(seal)